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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,401	070,401 03/01/2002		Fredrik Ruda	32527	6934
23589	7590	08/31/2005		EXAMINER	
HOVEY W			PRICE, RICHARD THOMAS JR		
2405 GRAN KANSAS C		, SUITE 400 64108		ART UNIT PAPER NUMBER	
	,			3643	
				DATE MAILED: 08/31/2005	5

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Advisory Action	10/070,401	RUDA, FREDRIK	
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Thomas Price	3643	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence addr	'ess
THE REPLY FILED 18 August 2005 FAILS TO PLACE THIS A		•	
 The reply was filed after a final rejection, but prior to or of this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Notice (3) a Request for Continued Examination (RCE) in complete following time periods: 	wing replies: (1) an amendment, a ptice of Appeal (with appeal fee) in liance with 37 CFR 1.114. The repl	ffidavit, or other evide compliance with 37 C	nce, which FR 41.31; or
 a) The period for reply expires 3 months from the mailing date of b) The period for reply expires on: (1) the mailing date of this Advevent, however, will the statutory period for reply expire later the 	isory Action, or (2) the date set forth in the	e final rejection, whichever f the final rejection.	r is later. In no
Examiner Note: If box 1 is checked, check either box (a) or (b). MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f) Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened sta above, if checked. Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ONLY CHECK BOX (b) WHEN THE FI). which the petition under 37 CFR 1.136(a and the corresponding amount of the fee. atutory period for reply originally set in the s after the mailing date of the final rejection	RST REPLY WAS FILED) and the appropriate exter The appropriate extension final Office action; or (2) on, even if timely filed, may	nsion fee have n fee under 37 as set forth in (b) y reduce any
 The Notice of Appeal was filed on A brief in composition of filing the Notice of Appeal (37 CFR 41.37(a)), or any e Since a Notice of Appeal has been filed, any reply must be 	xtension thereof (37 CFR 41.37(e))), to avoid dismissal o	f the appeal.
AMENDMENTS		·	
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo (c) They are not deemed to place the application in bet appeal; and/or (d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	nsideration and/or search (see NOw); tter form for appeal by materially recorresponding number of finally re	TE below); educing or simplifying	
4. The amendments are not in compliance with 37 CFR 1.1		ompliant Amendment	(PTOL-324).
5. 🔲 Applicant's reply has overcome the following rejection(s):		
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 			_
 For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: 6-9.11-13 and 18. Claim(s) rejected: 1-4,10 and 14-16. Claim(s) withdrawn from consideration: 	⊠ will not be entered, or b) □ w vided below or appended.	ill be entered and an e	explanation of
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).	ut before or on the date of filing a N d sufficient reasons why the affidat	lotice of Appeal will <u>no</u> vit or other evidence is	ot be entered necessary
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessar 10. The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	overcome <u>all</u> rejections under appea y and was not earlier presented. S	al and/or appellant fail see 37 CFR 41.33(d)(1	ls to provide a l).
11. The request for reconsideration has been considered bu	t does NOT place the application in	n condition for allowar	nce because:
12. Note the attached Information Disclosure Statement(s). 13. Other:	(PTO/SB/08 or PTO-1449) Paper I	No(s). Thomas Price Primary Examiner G	6AU: 3643